

Message Text

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66

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 /059 W

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R 161030Z SEP 76

FM AMCONSUL MUNICH

TO SECSTATE WASHDC 7481

INFO AMEMBASSY BONN

USMISSION USBERLIN

AMEMBASSY BERLIN

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL HAMBURG

AMCONSUL FRANKFURT

AMCONSUL STUTTGART

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E.O. 11652: N/A

TAGS: PINT, PFOR, GW

SUBJECT: BAVARIAN COURT ISSUES TEMPORARY INJUNCTION AGAINST
SCHMIDT

REF: MUNICH 2158 (NOTAL)

1. CSU PRESS RELEASE OF SEPTEMBER 15 REPORTS THAT STATE DISTRICT COURT (LANDGERICHT) IN TRAUNSTEIN HAS ISSUED TEMPORARY INJUNCTION AGAINST CHANCELLOR HELMUT SCHMIDT FORBIDDING HIM TO ASSERT LITERALLY OR SUBSTANTIALLY THAT CSU BUNDESTAG DEPUTY WITTMANN HAS SAID THAT FRG SHOULD "SHOOT BACK" (ZURUECK-SCHIESSEN) IN CONNECTION WITH CERTAIN TYPES OF EVENTS AT FRG-GDR BORDER.

2. COMMENT: INJUNCTIONS SUCH AS THESE ARE COMMON AND RELATIVELY EASY TO OBTAIN. CONGEN BELIEVES SCHMIDT'S ASSERTION IN NUERNBERG SEPTEMBER 12 (REFTTEL) THAT WITTMANN HAD CALLED FOR FRG TO SHOOT BACK WHENEVER GDR BORDER GUARDS OPEN FIRE MAY HAVE LIMITED OFFICIAL USE

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TRIGGERED CSU DECISION TO SEEK INJUNCTION. CSU SEEMS TO

BE CONCERNED THAT SCHMIDT'S ASSERTION MIGHT LEAD VOTERS
TO CONCLUDE THAT A CDU/CSU GOVERNMENT MIGHT BE PREPARED
TO ENGAGE IN ARMED CONFRONTATION WITH GDR.GILMORE

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Message Attributes

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Disposition Approved on Date:
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Margaret P. Grafeld
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To: STATE
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